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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,206	12/04/2003	Scott E. Hubbard	03-1140	7961

24319 7590 12/27/2006
LSI LOGIC CORPORATION
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EXAMINER

TERMANINI, SAMIR

ART UNIT	PAPER NUMBER
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2178

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/27/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/728,206	Applicant(s) HUBBARD ET AL.	
	Examiner Samir Termanini	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/4/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

BACKGROUND

1. This action is responsive to Applicant's application filed on 12/04/2003.
2. Claims 1-16 are pending. Claims 1 and 8 are in independent form

CLAIM OBJECTIONS

3. Claim 9 is objected to because it is unclear if the Applicant intended the actual pointing device to hover over the menu, or the cursor controlled by the pointing device to hover over the menu item. Notwithstanding claim 11, Para. [0023] is the only instance where applicant uses the language: "hovering of the pointing device over the unselectable [sic] menu item." All other instances disclose elaborate examples with regards to the pointer only - not the pointing device.

4. Claim 11 is objected to because it contains a typographical error: line 3 of claim 11 should read "...device on a selectable..." instead of "...device a selectable"

CLAIM REJECTIONS - 35 USC §101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claim 14 is rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter, and further raises questions as to whether the claim are directed to an abstract idea. More specifically, the claim lacks the necessary

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physical articles or objects to constitute a machine or a manufacture within the meaning of 35 U.S.C. 101. It is clearly not a series of steps or acts, to be a process, nor it it a combination of chemical compounds to be a composition of matter. Specifically, claim 14 is directed toward a "communication medium" that covers carrier signals that are not limited to the tangible system recited in the claim's dependency chain.

CLAIM REJECTIONS - 35 U.S.C. §102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1, 3-11, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by *DeStefano et al.* (US Pat. No. 7,020,842).

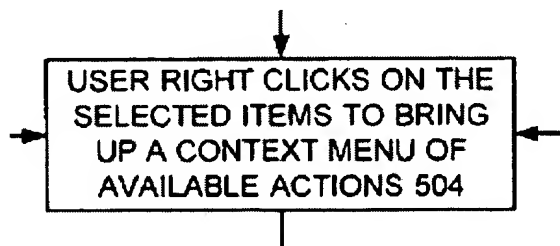
As to independent claim 1, *DeStefano et al.* teach a method of automatically providing assistance to a system user ("...providing dynamic assistance for disabled user interface resources..." col. 1, lines 64-67) comprising the steps of: displaying a menu comprising a plurality of menu items (see e.g. fig. 3); detecting a user request for information regarding an un-selectable menu item of the plurality of menu items (e.g. "...A user selects or moves the cursor over the disabled [item]." Col. 3, lines 61-63); determining information regarding the un-selectable menu item in response to the detection of the user

request ("Checking whether there is help text that describes why the action is disabled is performed as indicated in a decision block 512." Col. 4, lines 37-39); and displaying a message containing the information regarding the un-selectable menu item in response to the user request ("the specific reason a menu item was disabled is displayed, making it easy for the user to determine how to proceed." col. 3, lines 35-37; *see also* "...an explanation text 302 is displayed[.] Explanation text 302 tells the user precisely why the particular action was disabled." col. 3, lines 61-63);

As to dependent claim 3, *DeStefano et al.* teach the method of claim 1 wherein the information regarding the un-selectable menu item is determined dynamically ("dynamic assistance" col. 5, lines 21-23) as a function of a system status (e.g. "system 100 [with] disabled user interface resource [state]." col. 5, lines 21-23).

As to dependent claim 4, *DeStefano et al.* teach the method of claim 1 wherein the step of detecting a user request further comprises: detecting a user pointer indicia hovering over the un-selectable menu item ("...the user...flies the cursor over the assistance identifier, then assistance text is displayed which tells the user exactly why this action was disabled as indicated in a block 612." col. 4 line 65 to col. 4, line 2).

As to dependent claim 5, *DeStefano et al.* teach (e.g. in fig. 5, portions reproduced below) the method of claim 1 wherein the step of detecting a user request further comprises: detecting a user right click on the un-selectable menu item.



(*see also* "The user right clicks on selected items to bring up a context menu of available actions..." col. 4, lines 27-30).

As to dependent claim 6, *DeStefano et al.* teach the method of claim 1 wherein the step of determining information further comprises: determining a reason for the unselectability of the un-selectable menu item ("...code that disables controls is found[.] Next text is added that explains why control is disabled" col. 4, lines 4-17).

As to dependent claim 7, *DeStefano et al.* teach the method of claim 1 wherein the step of determining information further comprises: determining remedies for the unselectability of the un-selectable menu item. ("When adjustment is needed, code is added that corrects the condition that disabled the control..." col. 4, lines 20-24).

As to independent claim 8, this claim differs from claim 1 in that it directed to a system performing the process of claim 1. Moreover, *DeStefano et al.* further teach a system ("computer 100" col. 1, line 51) comprising: a display for presenting graphical user interfaces to a user ("display 108" col. 2, line 53); a pointing device for receiving user input ("pointing device" col. 2, line 54). Therefore, this claim is rejected for the same reasons set forth in the treatment of claim 1.

As to dependent claim 9, *DeStefano et al.* teach the system of claim 8 wherein the managing task is responsive to sensing hovering of the pointing device over the un-selectable menu item ("A user selects or moves the cursor over the disabled with assistance state identifier and an explanation text 302 is displayed." col. 3, lines 61-63; *see also* "...the user...flies the cursor over the assistance identifier, then assistance text is displayed which tells the user exactly why this action was disabled as indicated in a block 612." col. 4 line 65 to col. 4, line 2).

As to dependent claim 10, *DeStefano et al.* teach the system of claim 8 wherein the managing task is responsive to sensing right clicking of the pointing device on the un-selectable menu item ("The user right clicks on selected items to bring up a context menu of available actions..." col. 4, lines 27-30).

As to dependent claim 11, *DeStefano et al.* teach the system of claim 8 wherein the managing task is responsive to sensing clicking of the pointing device on a selectable menu item of the plurality of menu items that requests information regarding the un-selectable menu item ("the disabled with assistance menu item has also a live zone added to the end of the menu item. When a user selects this live zone, additional information is displayed that explains to the user why the menu item or control was disabled." col. 3, lines 12-16).

As to dependent claim 14, *DeStefano et al.* teach a communication medium for coupling for managed and managing tasks ("a bus connecting said processor, said memory and said display", clm. 5).

CLAIM REJECTIONS - 35 U.S.C. §103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over *DeStefano et al.* (US Pat. No. 7,020,842) in view of *Li* (US PG Pub 20030222923).

As to dependent claim 2, DeStefano et al. teach the method of claim 1 discussed in detail above. However, DeStefano et al. fails to teach that the un-selectable menu item is displayed in a font different from a font used to display other menu items of a plurality of menu items. Li teaches that the un-selectable menu item is displayed in a font different from a font used to display other menu items of a plurality of menu items ("As may be seen in FIG. 3A, two of the menu items 314, 316 are reduced in size by 50% in comparison to the standard size of the other seven menu items.... This reduced menu item size denotes the fact that menu items [a]re presently disabled... The remaining seven menu items that are displayed using a standard size font are enabled." para. [0032]). Below is a copy of fig.3 from *Li*:

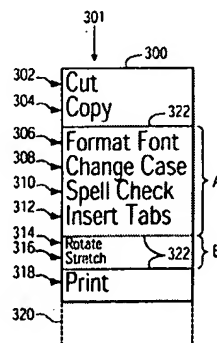


FIG. 3A

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have used the different fonts indicating inactive menu items as taught in *Li* with *DeStefano et al.* because *Li*: (1) is directed to the same problem of methods for displaying a menu by determining from a context for the menu, a state for each menu item in the menu, the state being one of enabled and disabled; and based on a determined state of a given menu item, setting a display size for the menu item; (2) is in the same field of endeavor of displaying inactive menu items on a menu; and (3) *Li* expressly

suggests the motivation for the combination: "...menu clutter may be reduced, and speed of access to individual menu items may be improved. The ordinal sequence of menu items may be invariable to facilitate a user's appreciation of the totality of available menu items and to facilitate location of a particular menu item." (para. [0009]).

11. Claims 12-13 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over *DeStefano et al.* in view of *Evans et al.* (US Pat. 6,266,675).

As to dependent claim 12, *DeStefano et al.* teach the system of claim 8, discussed above. *DeStefano et al.* further teaches storing detailed information regarding the reasons for un-selectability of the un-selectable menu item ("Recording medium 702 stores program means 704, 706, 708, 710 on the medium 702 for carrying out the methods for providing dynamic assistance for disabled user interface resources of the preferred embodiment in the system 100 of FIG. 1. " col. 5, lines 19-23). *DeStefano et al.* further teaches presenting the detailed information regarding the reasons for un-selectability to a user in response to user input from the pointing device ("...the user...flies the cursor over the assistance identifier, then assistance text is displayed which tells the user exactly why this action was disabled as indicated in a block 612." col. 4 line 65 to col. 4, line 2). However, *DeStefano et al.* does not teach a reason table storing detailed information regarding the reasons for un-selectability of the un-selectable menu. *Evans et al.* teaches the use of a table being accessible for storing attributes of menus including selective display of items on the menu ("The columns illustrated in the menu are determined by the configuration information in the tables. That is, the configuration data in the tables indicate that the menu 800 should display the columns illustrated." col. 13, lines 22-27).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used a table for the reason code as an index as taught by *Evans et al.* with *DeStefano et al.* because, in the same field of endeavor, *Evans et al.* teaches storing the appearance of the user interface menu items "...using relational database structures to dynamically configure an application program." (col. 2, lines 15-17) and further suggests that ("[t]he configuration data 310 contains information indicating the menus [and] may further include information indicating the fields to be included in each of the menus" col. 5, lines 39-44).

As to dependent claim 13, *DeStefano et al.* teach the system of claim 12, discussed above. *DeStefano et al.* further teaches information regarding the un-selectable menu item includes a reason code indicating the reason for the un-selectability of the un-selectable menu item ("A state of the identified control is changed from disabled to disabled with assistance. Assistance text is provided to explain why control is disabled. " col. 2, lines 6-12). However, *DeStefano et al.* does not expressly teach that the reason table is accessible using the reason code as an index. *Evans et al.* teaches the use of a table being accessible for storing attributes of menus including selective display of items on the menu ("The columns illustrated in the menu are determined by the configuration information in the tables. That is, the configuration data in the tables indicate that the menu 800 should display the columns illustrated." col. 13, lines 22-27).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used an accessible table for the reason code as an index as taught by *Evans et al.* with *DeStefano et al.* because, in the same field of endeavor, *Evans et al.* teaches indexed databases for the purpose of storing and searching the appearance of the

user interface especially for the technique for selecting a menu items ("A database engine enables a user to peruse through the relational database and enables a user to apply search parameters or indexes to locate desired information in the relational database. Using the perusal search technique, the database engine retrieves the menu items and based upon its configuration specifies, for example, the appearance of the user interface, i.e., the font, color, size and location, the technique for selecting a menu item such as Item A, etc." col. 1, lines 35-48).

As to dependent claim 15, *DeStefano et al.* further teach presenting the detailed information regarding the reasons for unselectability to a user in response to user input from the pointing device ("the specific reason a menu item was disabled is displayed, making it easy for the user to determine how to proceed." col. 3, lines 35-37; see also "...an explanation text 302 is displayed[.] Explanation text 302 tells the user precisely why the particular action was disabled." col. 3, lines 61-63).

As to dependent claim 16, *DeStefano et al.* teach the system of claim 15, discussed above. *DeStefano et al.* further teaches information regarding the un-selectable menu item includes a reason code indicating the reason for the un-selectability of the un-selectable menu item ("A state of the identified control is changed from disabled to disabled with assistance. Assistance text is provided to explain why control is disabled. " col. 2, lines 6-12). However, *DeStefano et al.* does not expressly teach that the reason table is accessible using the reason code as an index. *Evans'et al.* teaches the use of a table being accessible for storing attributes of menus including selective display of items on the menu ("The columns illustrated in the menu are determined by the configuration information in the

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tables. That is, the configuration data in the tables indicate that the menu 800 should display the columns illustrated." col. 13, lines 22-27).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used an accessible table for the reason code as an index as taught by *Evans et al.* with *DeStefano et al.* because, in the same field of endeavor, *Evans et al.* teaches indexed databases for the purpose of storing and searching the appearance of the user interface especially for the ease of applying search parameters in selecting menu items ("...the relational database and enables a user to apply search parameters or indexes to locate desired information in the relational database. Using the perusal search technique, the database engine retrieves the menu items and based upon its configuration specifies, for example, the appearance of the user interface, i.e., the font, color, size and location, the technique for selecting a menu item such as Item A, etc." col. 1, lines 35-48).

CONCLUSION

12. Although not relied upon, the following prior art is made of record because it considered pertinent to applicant's disclosure:

- [1] *Yokota* (US Pat No. 6,968,510) for teaching menu items that are displayed on a screen, and when a predetermined menu item is selected, a function corresponding to the selected menu item is executed where the menu item displaying method comprises the steps of determining whether a function corresponding to a menu item displayed on the screen can be executed, and when it is determined that the function cannot be executed, disabling the menu item corresponding to the function from being selected and displaying a reason why the menu item cannot be selected.
- [2] *Fang* (US Pat. No. 6628311) for teaching a possible reason why a deactivated display control is deactivated. The computer program product also highlights

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a respective display control included in the selected tab, which corresponds to the possible reason why the deactivated display control is deactivated.

- [3] *Livingston* (US Pat. No. 6452607) for teaching a help control displayed automatically, without user interaction, in the event the control option is disabled and noteworthy. Alternatively, the control option is displayed in the event it is enabled and noteworthy. The help control is displayed non-intrusively relative to other elements of the user interface. Importantly, when the help control is selected by the user, context-sensitive help information is displayed describing, respectively, why the control option is disabled or why it is enabled and noteworthy.
- [4] *Moravcsik* (US PG Pub. 2004/0268267) for teaching methods and apparatus for prompted activation of an inactive control element in graphical user interface, and context-based help therefor.

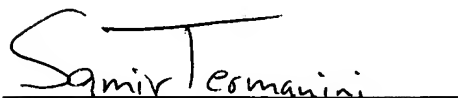
13. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Samir Termanini whose telephone number is (571) 270-1047. The Examiner can normally be reached from 9 A.M. to 4 P.M., Monday through Friday (excluding alternating Fridays).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service

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Representative or access to the automated information system, call 800-786-9199 (IN USA
OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Samir Termanini", written over a horizontal line.

Samir Termanini
Patent Examiner
Art Unit 2178

A handwritten signature in black ink, appearing to read "Stephen Hong", written above the printed name.

STEPHEN HONG
SUPERVISORY PATENT EXAMINER